

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION**

CLERK'S OFFICE U.S. DIST. COURT  
AT ABBINGDON, VA  
FILED

MAR 30 2006

JOHN F. CORODRAN, CLERK  
BY: *John F. Cororan*  
DEPUTY CLERK

For the reasons stated in the Opinion accompanying this judgment, it is

**ADJUDGED AND ORDERED** as follows:

1. The Motion to Dismiss by the defendants is GRANTED;
2. This action is DISMISSED without prejudice for lack of subject matter jurisdiction; and
3. The clerk is directed to close the case.

ENTER: March 30, 2006

John Rogers  
Chief United States District Judge